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CLERK US DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

DEPUTY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,	Mag. Case Number: '07 MJ 2301
vs	COMPLAINT FOR VIOLATION OF
RHETT, Stephen Francis AKA: Brooks, Stephen Francis & FORBES, Janet Bernice AKA: Murphy, Janet Bernice	Title 21, U.S.C., Sections 952 and 960 Importation of a Controlled Substance

The undersigned complaint being duly sworn states:

On or about September 23, 2007, within the Southern District of California, Defendants Stephen Francis RHETT, also known as Stephen Francis Brooks, and Janet Bernice FORBES, also known as Janet Bernice Murphy did knowingly and intentionally import approximately 508.10 kilograms of marijuana, a schedule I narcotic into the United States from a place outside thereof; in violation of Title 21, United States Code, Sections 952 and 960.

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT
SPECIAL AGENT
U.S. IMMIGRATION & CUSTOMS
ENFORCEMENT

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 24th DAY OF SEPTEMBER, 2007.

MAGISTRATE JUDGE

JR

DEFENDANT: RHETT, Stephen Francis AKA: Brooks, Stephen Francis
FORBES, Janet Bernice AKA: Murphy, Janet Bernice

STATEMENT OF FACTS

On September 23, 2007, at approximately 10:20 p.m., Stephen Francis RHETT (driver) and Janet Bernice FORBES (passenger) entered the United States from Mexico at the San Ysidro, California Port of Entry in a1999 Ford F-250 (CA/3QOS602) towing a white trailer (CA/4J1558). CBP Officer Fontanilla was conducting vehicle primary inspection operations on lane #22 when he encountered RHETT and FORBES. Officer Fontanilla received a negative customs declaration, and requested RHETT to open the back gate of the trailer. Officer Fontanilla observed new plywood covering a suspected space discrepancy in the floor of the trailer. Officer Aguilar responded to provide back up to Officer Fontanilla. Officer Aguilar also noticed the space discrepancy, and began to unscrew one of the wooden floor panels. While Officer Aguilar was removing one of the wooden floor panels, he noticed RHETT became so nervous that he proceeded to defecate on himself. Officer Aguilar continued to remove the wooden panel, which revealed several plastic wrapped packages. RHETT and FORBES were placed in handcuffs for officer safety, and escorted to the security office. The vehicle and trailer were driven to the secondary inspection area. After arriving at the secondary inspection area, CEO Officer Everett screened the vehicle and trailer with her Narcotic/Human Detector Dog. Officer Everett received a positive alert to the rear bumper of the trailer. A search conducted in the secondary inspection area revealed numerous packages concealed in the floor of the trailer. A total of 108 packages were removed from a special built floor compartment with an aggregate weight of 508.10 kilograms.

On September 24, 2007, starting at approximately 12:59 a.m., a video-recorded interview of RHETT was conducted in English, in the presence of ICE Senior Special Agent Daniel Duff, and ICE Special Agent Christian Alva. RHETT was advised of his Miranda rights in the presence of said Agents, waived his rights, and executed a written waiver which indicated that he agreed to answer questions without a lawyer present. During the interview, RHETT stated he did not know there were drugs in the vehicle. RHETT stated on Saturday (September 22, 2007) he drove the F-250 and trailer from the United States to Mexico. RHETT said he was delivering building supplies to Mexico for a payment of $100.00 USD each way. RHETT stated that while he was in Mexico, a man named Felipe offered to pay him $500.00 USD a person to cross people into the United States. The interview was terminated at 1:54 a.m.

CONTINUATION:

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At approximately 3:00 a.m., a video-recorded interview of FORBES was conducted in English, in the presence of ICE Senior Special Agent Daniel Duff, and ICE Special Agent Christian Alva. FORBES was advised of her Miranda rights in the presence of said Agents, waived her rights, and executed a written waiver which indicated that she agreed to answer questions without a lawyer present. During the interview, FORBES stated she did not know there were drugs in the vehicle. FORBES stated on Sunday (September 23, 2007) she was approached by a man in Mexico named Felipe. FORBES said that Felipe offered to pay her $500.00 USD to be a passenger in a vehicle. FORBES stated that she was told that the vehicle was going to contain illegal aliens. FORBES stated that she met RHETT at a house in Colonia Libertad, and they were both driven to a gas station in Tijuana Mexico where they picked up the F-250 and trailer. FORBES said that RHETT told her that he had crossed seven previous times.

RHETT and FORBES were arrested for violation of Title 21, United States Code, Sections 952 and 960, Unlawful Importation of a Controlled Substance, and were booked into the Metropolitan Correctional Center, San Diego, CA.